

CHRISTOPHER CHIOU  
Acting United States Attorney  
District of Nevada  
Nevada Bar Number 14853  
BRIAN Y. WHANG  
Assistant United States Attorney  
501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada 89101  
(702) 388-6336  
Brian.Whang@usdoj.gov

*Representing the United States of America*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
TONY NIVONGSO,  
  
Defendant.

Case No. 2:19-cr-00323-RFB-NJK

**MOTION AND ORDER TO DISMISS  
INDICTMENT WITHOUT PREJUDICE**

The United States of America by Christopher Chiou, Acting United States Attorney for the District of Nevada, and Brian Whang, Assistant United States Attorney, requests pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, that the Court enter an order allowing the government to dismiss without prejudice the charges brought against defendant Tony Nivongso contained in the Indictment in case number 2:19-cr-00323-RFB-NJK. Nivongso currently is in custody.

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1 DATED this 16<sup>th</sup> day of December, 2021.

2 Respectfully submitted,

3 CHRISTOPHER CHIOU  
4 Acting United States Attorney

5 /s/ Brian Whang  
6 BRIAN WHANG  
7 Assistant United States Attorney

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TONY NIVONGSO,

Defendant.

Case No. 2:19-cr-00323-RFB-NJK

**ORDER OF DISMISSAL OF THE  
INDICTMENT WITHOUT PREJUDICE**

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and upon leave of Court, the Acting United States Attorney for the District of Nevada hereby dismisses without prejudice the charges brought against defendant Tony Nivongso contained in the Indictment in case number 2:19-cr-00323-RFB-NJK.

Respectfully submitted,

CHRISTOPHER CHIOU  
Acting United States Attorney

/s/ Brian Whang  
BRIAN WHANG  
Assistant United States Attorney

ORDER

Leave of Court is granted for the filing of the foregoing dismissal of the charges brought against defendant Tony Nivongso contained in the Indictment in case number 2:19-cr-323-RFB-NJK.

The Clerk of the Court is instructed to close this case.

DATED this 17th day of December 2021.



HON. RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE